

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

BRANDON BRADLEY, SR.,

Plaintiff,

v.

Case No. 20-C-81

KYLE TRITT, et al.,

Defendants.

ORDER GRANTING PLAINTIFF'S MOTION TO SUBSTITUTE

Plaintiff Brandon Bradley, Sr., who is currently serving a state prison sentence at Columbia Correctional Institution, filed the instant action pursuant to 42 U.S.C. § 1983, alleging that his civil rights were violated. Plaintiff was allowed to proceed on the following claims: an excessive force claim against Bikowski, C.O. Wodack, C.O. Kyle O'Neal, C.O. Jones, and C.O. Pohl; a failure to intervene claim against Tritt, Leopold, and Beahm; and a deliberate indifference claim against Taplin. On April 21, 2020, the Department of Justice accepted service on behalf of all the Defendants except Kyle O'Neal, as it was unable to identify an officer named Kyle O'Neal. On June 1, 2020, the court entered a scheduling order directing Plaintiff to use discovery to identify the correct name of defendant Kyle O'Neal by September 1, 2020. On July 21, 2020, Plaintiff filed a motion to substitute Christopher O'Neal for Kyle O'Neal in his complaint. Plaintiff's motion will be granted.

IT IS THEREFORE ORDERED that Plaintiff's motion to substitute (Dkt. No. 51) is **GRANTED**. The Clerk is directed to revise the caption of the case to reflect that the proper name of Kyle O'Neal is Christopher O'Neal.

IT IS FURTHER ORDERED that, pursuant to the informal service agreement between the Wisconsin Department of Justice and the court, the clerk will electronically send copies of the plaintiff's amended complaint and this order to the Wisconsin Department of Justice for service on Christopher O'Neal.

IT IS FURTHER ORDERED that, pursuant to the informal service agreement between the Wisconsin Department of Justice and the court, Christopher O'Neal shall file a responsive pleading to the amended complaint within sixty days of receiving electronic notice of this order.

Dated at Green Bay, Wisconsin this 22nd day of July, 2020.

s/ William C. Griesbach
William C. Griesbach
United States District Judge